UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/549,408	09/14/2005	Junbiao Zhang	PU030081	1829

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Robert D. Shedd, Patent Operations
THOMSON Licensing LLC
P.O. Box 5312
Princeton, NJ 08543-5312

EXAMINER
ZIA, SYED

ART UNIT	PAPER NUMBER
2431	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>20 December 2010</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) <u>1-17 and 20-24</u> is/are allowed.

6)☒ Claim(s) <u>18 and 19</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

This office action is in response to remarks filed December 20, 2010. Claims 1-24 are pending for further consideration.

Response to Arguments

Applicant's arguments filed on December 20, 2010 have been fully considered but they are not persuasive because of the following reasons:

1.   Regarding Claim 18 applicants argued that the cited prior art (CPA) [Nadooshan (U.S. Patent No.: 6,161,182)] does not teach *suggest "a secure seed in the logoff request* in the client. After the client has logged off from the remote equipment, the client notifies the token generating server that the session has been terminated. It is therefore clear that the logoff request of Nadooshan is not accompanied by a secure seed*"*.

This is not found persuasive. The system of cited prior art teaches a method for obtaining token from token generating server and using token to encrypt random number received from remote terminal to gain access.

In cited prior art, once the client has completed accessing the remote equipment, a second transaction is established between the client and the token generating server to terminate the session. Thus, an access session is complete only if the active session is terminated and the token generating server is notified. In the system of cited prior art, the client transmits a session

termination message to the token generating server, containing an authentication value (the

encrypted previous client response creating a new response), a session identifier [secure seed], a

termination status and an optional user log message that permits the client to record a message in

the session log. Finally, the token generating server transmits an acknowledgement of

termination of the session to the client.

As a result, the system of cited prior art does implement and teaches a system and method

that relates to wireless local area network secure session management (Fig.1, 2, 10 and col.3 line

9 to line 30 , col.5 line 30 to line 44, and col.8 line 15 to line 36).

2.   Regarding Claim 19 applicants argued that the cited prior art (CPA) [Patel et al. (U.S.

Publication No.: 2005/0025091)], applicant argued that

A: Patel et al is not available to be cited against the instant Application because the

filing date of Patel et al (5 August 2003) is subsequent to the filing date of the Applicants'

priority document, Provisional Application 60/454,542, filed on 14 March 2003

This is not found persuasive. The system of cited prior art claims priority from document dated

November 22, 2002.

B.   Applicant further argued that Patel et al a mobile node derives a (session) key from

key information stored at the mobile node, not from a secure seed".

This is not found persuasive. The system of cited prior art teaches a method for deriving

key information from key associated with mobile node, sending reply message to home agent

and enabling to derive shared key. In this system when the Mobile Node receives the registration

reply, it derives a shared session key from its key information. For instance, the registration reply

indicates that the Mobile Node is to dynamically generate the shared session key. Therefor, the

Mobile Node derives key material x' and x" using a one-way hashing function at 728 and the

Mobile Node independently generate a shared session key as shown at 732 by using Skey=hash

(key material x" +random number).

As a result, the system of cited prior art does implement and teaches a system and method

that relates to wireless local area network secure session management ([Fig.1, 7-8.and 0042,

0049-0066, and 0078]).

3.   Applicants <u>clearly</u> have failed to explicitly identify specific claim limitations, which

would define a patentable distinction over prior arts.

The examiner is not trying to teach the invention but is merely trying to interpret the

claim language in its broadest and reasonable meaning. The examiner will not interpret to read

narrowly the claim language to read exactly from the specification, but will interpret the claim

language in the broadest reasonable interpretation in view of the specification. Therefore, the

examiner asserts that cited prior art does teach or suggest the subject matter broadly recited in

independent Claims and in subsequent dependent Claims. Accordingly, rejections for claims 18

and 19 are respectfully maintained.

Allowable Subject Matter

Claims 1-17, and 20-24 are allowed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 18 is rejected under 35 U.S.C. 102(b) as being anticipated by Nadooshan (U.S.

Patent No.: 6,161,182) (hereafter Nadooshan).

1.   Regarding Claim 18 Nadooshan teaches and describes a method for providing a secure

communications session between a mobile terminal and a wireless local access network (Fig.1,

col.3 line 66 tocol.4 line 63), the method comprising the steps of: a mobile terminal sending

during session logoff an encrypted logoff request accompanied by a secure seed **[authentication**

value] such that the secure seed appears in the logoff request (Fig.1, 2, 10 and col.3 line 9 to line

30 , col.5 line 30 to line 44, and col.8 line 15 to line 36).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 19 is rejected under 35 U.S.C. 102(e) as being anticipated by Patel et al. (U.S. Publication No.: 2005/0025091) (hereafter Patel).

1.   Regarding Claim 19 Patel teach and describe an access point for providing a secure communications session between a mobile terminal and a wireless local area network [0014. Fig.1 and 7], comprising: a means for transmitting a secure key as a session key; and a secure seed **[root key, password or random number]** to the mobile terminal using a secure communications method; a means to encrypt data using the secure key; and a means to periodically generate a subsequent session key [**SKey**, or **Skey'**] using the secure seed ([Fig.1, 7-8.and 0042, 0049-0066, and 0078]).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SYED ZIA whose telephone number is (571)272-3798. The

examiner can normally be reached on 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William R. Korzuch can be reached on 571-272-7589. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

sz
February 25, 2011
/Syed Zia/
Primary Examiner, Art Unit 2431